

Rewritten & unused

David Belin's book, "November 22, 1963: You Are the Jury," opens with generous acknowledgements to many people, which is generous. It credits his parents ~~with~~ "who inculcated...a standard of absolute integrity," which I believe should be the standard we seek to achieve tonight. It includes ~~the~~ Mr. Belin's personal acceptance of personal responsibility, which is honest and makes this confrontation appropriate: "I had to decide who killed two men in Dallas on Nov. 22nd 1963." ...It was up to me..."

His "primary" acknowledgement is also appropriate, "to our American system of government and justice." I believe that every word and thought tonight should be in terms of "our American system of government and justice" - the theory, practise the ~~reality~~ and the reality of the Warren Commission one of whose more important counsel Mr. Belin was.

But in these acknowledgements Mr. Belin begins his games with words, calling the Warren Commission "independent." He begins this game with the title, "You Are the Jury." Tonight you people should be. In his book nobody can be because his is a partisan, one-sided presentation, an approach that violates every standard of "our American system of government and justice" as it does normal standard literary standards. There is nothing wrong with partisanship. I am an open partisan. What is wrong is pretending impartiality and practising extreme partiality. I shall address this with specific illustrations, if few among the available thousands.

On the first page of the text Mr. Belin starts blaming everyone else for the work of the faultless staff being "hampered by political considerations and errors in judgement made by some of the Commissioners..." Early Warren and everybody else made mistakes, in Mr. Belin's account, hit Mr. Belin and his associates.

His first specification is in every way false. It is that with the "top secret" designation of "most notably the photographs and X-rays taken during the autopsy" the Commission and its "independent" staff were denied access to this "vital" evidence.

These materials were never classified. The truth is worse. The Commission took all the relevant testimony without making a request for these materials and its

staff and other defenders then and since have been untruthful because the staff and the Commission did have both the X-rays and the pictures. That the Commission had the pictures I brought to light in the fourth of my Whitewash series in which I reproduce in facsimile the formerly TOP SECRET executive sessions transcripts in which this is explicit. In my new book I reproduce the proof that the Secret Service did in fact provide the X-rays for staff and witness examination.

Tonight's jury should know that there was nothing anyone could have denied this Commission. It should also bear in mind the ancient and honored tradition of public service, that one who is called upon to do what violates his conscience resigns. This is a personal obligation to personal integrity and a public obligation of the public servant.

It is plain and simple truth that this Commission, members and staff alike, deliberately avoided essential evidence it did not want to have and suppressed an enormous part of what it could not avoid. Search Mr. Belin's long book as you will, you will find no single citation of any single one of the Commission's suppressed files or the evidence suppressed by the staff, which prepared what would be published and made secret that which was hidden behind locked official doors.

Before giving another assurance we shall address Mr. Belin's off on those he calls "assassination sensationalists." Everyone who disagrees with him is an "assassination sensationalist." Names are not there, aside from that of Marl Lane. In Mr. Belin's logic is Lane is an "assassination sensationalist" everyone else is. This is Mr. Belin's answer to all factual criticism, regardless of source, with examples of Lane's word words used as a gamager assault upon the integrity of all the others he for some reason found it incongenial to name. Primarily this is his way of addressing me. I wrote the first book on the Warren Commission, more than any other and I think published more responsible writing than all others comined. But Mr. Belin makes no mention of my name or the names of others who have earned respect except of bitter-ending partisans, like Sylvia Meagher, Howard Roffman and the lawyer who has handled most of my many "Freedom of Information" law suits, Jim Lesar. Con-

sistent with this there is no mention of any one of these suits or any of the evidence the suppression of which I ended with them. Nine years after the law was enacted its use and the results of its use were not fit for the jury addressed by this "independent lawyer from Iowa."

There are sensationa;ists on both sides. One can argue that with the lapse of 10 years Mr. Belin's selection of the 10th anniversary of the assassination which is his claim to national fame is not a device for the avpidance of commercialism.

In fact, the second speech I wrote addressed those not of Mr. Belin's persuasion whose record I regard as less than responsible. Because I want to be precise and because I have every intention of standing on every word I say this is the third speech I have read. I incur the liability, if I ~~am~~ switch the phrase, so I can sit and be counted.

From the second page of Mr. Belin's text I take mine, "You will not be ^{spoon-} fed one person's cobclusions." Here I take direct issue with Mr. Belin and declare that his books is precli precisely what he promises it is not, his own carefully-cooked "spoon-fed conclusions."

In fairness of Mr. Belin we should begin with an understanding of his favoritg self-description, "independent." No lawyer is independent when he has a client. He is an adversary, which is right under the adversary system of justice. When he serves ~~an~~ in a non-adversary proceeding, he has the obligation of exhausting and presentang more than one side. The Warren Commission, as my new book shows with some of those long-suppressed staff records of which I'll read only a few, began with a conclusion and proceeded to fabricate what support for this preconception was possible.

I would like you to regard Mr. Belin as a symbol of the Commission and its staff and Report and to remember that he is but one of many. Many more lawyers alone than the 14 of whom he said he was one. It is only because it is Mr. Belin who is opposite me tonight that I address his part. But it would be unfair and unkind to believe that Mr. Belin is more than one of many or to single him out as unique. He is here in person and he thereby is symbolic of his peers and their work. What I say is not personal and relevant to him alone. In fact, it is my hope that when toight is over Mr. Belin's perceptions will have changed and his expressions of belief will

have changed with them. His last public statement of which I know was of indifference about whether there is a new and real investigation. ^{need} This was the conclusion of my first book, dating to February 1965. I hope that after Mr. Belin is "spoon-fed" some of the evidence he did not print he will agree that the national interest requires a full and entirely public investigation, including of those agencies whose dependability he questioned.

There will not be time for us to make a full examination tonight. Instead I have decided to use two means of putting you in a position to make a judgement. Mr. Belin's "independence" is such that it is reflected in his index. An examination of the index which is, of course, a ~~guide~~ to the book shows us something about his approach, his contents and his lack of contents in what he bills as "the key evidence."

Mr. Belin has his own selection of the most important witnesses. His selection of them is based not upon their importance in the overall evidence but because they are part of the area of work that was Mr. Belin's- identification of the assassin. In any homicide, Presidential or otherwise, the most important evidence is of the crime itself. One can't seek or identify the murderer outside the limitations, outside the irrefutable fact, of the crime itself. Mr. Belin's important witnesses are important to Mr. Belin's presentation of Mr. Belin's greatness.

Exclusion works the same way. We shall deal with both.

The second means I will use to put you in a position to constitute yourself a jury, the gimmick of Mr. Belin's book, is to present to what what these witnesses he makes the most important really said that you will not find in his book extensive as are his verbatim reproductions of their testimony.

In this, as best a non-lawyer can, I'll be acting as counsel for the other side, the side Mr. Belin without exception withheld from his jury.

While I am not a lawyer I am not without experience in evidence and with investigations and ~~an~~ political, criminal and legal analysis. I have been an investigative reporter, a Senate investigator and an intelligence analyst. I have prepared cases for official hearings and cases for trial. It is from this experience that I encourage you to understand and be charitable in your understanding of Mr.

Belin's position first as a lawyer working for a Commission whose work began with a preconception rather than a determination to discover and publish the full, discoverable truth and then as a compulsion-ridden human being who is also a lawyer and in this case an author in question of self-justification.

do not and I encourage you not to consider that I do. The situation tonight has us head-to-head but I believe it best that you regard each of us as symbols. I address Mr. Belin ~~alone~~ and his area of the Warren Report alone because Mr. Belin alone is here to be held to account and to make response. I do not personalize what I regard as a non-addidental libel of me, witness I have never written a complaint to Mr. Belin. This is not because as I am without emptions, as anyone who has read my work can attest. It is because we are now in an ear when for the first time there is serious expression of serious concern above the absolute bankruptcy of the Warren Report and I do not want it mixed up with the personal.

~~Personal, defensive and for other reasons unnecessary and useless as Mr. Belin's book is.~~

There will be time for going into other aspects of the evidence about the JFK assassination and about the Warren Report. But in my prepared remarks partly because it is past time for those who failed in this great agony to face themselves and partly to show you what I think it is important for you to understand I limit myself to Mr. Belin and his area of the work. of ^{that} the Commission. He can make personal response. It is his work. It was the basic element of the Commission's work. As he *responds* ~~does~~ I also ask you to distinguish between long perorations and windy explanations and simple fact simply and directly addressed.

Mr. Belin prates about "assassination conspiratorialists." There is none of this in my writing. I deal with fact. The first fact you should understand is that under the law, conspiracy is a simple matter. It is a combination to do wrong. It requires no more than two people and a wrongful act. Killing is wrongful. The evidence that no one person did or even could have committed this foul crime is and always was overwhelming. Mr. Belin's job was to make it underwhelming.

He addresses his ~~own~~ role in his book. In it and in countless public appearances he describes himself as "independent" and ~~an~~ an old lawyer's trick, "an independent lawyer from Iowa." Look for the haystacks behind his ears.

He is not and was not independent. A lawyer serves a client. We have an adversary system of justice. No American lawyers are prepared for any other role. Those of

Warren Commission ever escaped this. Few if any are prepared to serve the role of representing two sides of a conflict simultaneously. You'll be able to decide easily enough if Mr. Belin has.

Before I begin with Mr. Belin's not excessively modest representation of his own role in his own book I feel I owe you and him a chance to consider the setting of the stage by Harrison Salisbury in the introduction: "But, let us be realistic. In the ten years... Not one important clue of fact has been added to that mountainous store so painstakingly and on the whole, carefully inquired into by the Warren Commission. ~~NOT ONE WORD~~ Not One word! "Salisbury emphasizes this and adds with equal disregard for the fable of the Emperor's clothes, "not one new fact has been turned up." I'll address this later if you want.

Then Mr. Belin's third sentence is, "The ultimate question I had to decide is who killed two men in Dallas, Tex. on Nov. 22, 1963." He is not excessively immodest: "It was up to me to make the initial determination... of who killed President Kennedy and Patrolman Tippit."

Mr. Belin's least finding is of others. He alleges the chief problem
By the time he hsshimself 10 feet tall he found it was time to start laying it *and other common sense*
on others, again chiefly Warren, with falsehood, that they had personally applied top-secret designations - know that the staff did this - and to, quotes, "most notably the photographs and X-rays taken during the autopsy of President Kennedy."

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To say as Mr. Belin does that either the ~~Warren~~ Commission or its staff ~~did~~ *had* could not have had access to this most essential evidence in the homicide, or as he also ~~does that both did not could not be more totally false.~~ Mr. Belin does not say this as an anti-Kennedyite, as one would expect of the head of Lawyers for Nixon-Agnew.

has reasons we can leave to those who deal with the workings of the mind. But it is unquestionable fact that the Kennedys never withheld anything, could not have and that the Xrays and pictures were before the Commission's staff- Mr. Belin's part. The Commission, as the TOP SECRET executive sessions reproduced in my Whitewash IV: TOP SECRET JFK Assassination Transcript show repetitiously, *have* ~~did that~~ the pictures. I reproduce these pages in facsimile. And prior to any autopsy the staff and the witnesses to *none of this official suppress of find* be questioned were shown the X-rays at least. The record, is reproduced in my current

This is not even a beginning of either the Commission, its disinvestigation or Mr. Belin's revisionism, perhaps his nocturnal sleeping potion.

It deals with Mr. Belin's work because Mr. Belin is here and because he is the one ^{compelled to write a dubious book} member of the Commission's staff to make an indiscriminate, wholesale, blunderbuss and less than faithful assault upon all of ~~those~~ ^{these} who, without the compensation the government gave him to do better than this reflects, he libels.

I do not suggest and it would be entirely wrong to assume that this is unique or that Mr. Belin is. Others suborned perjury, others who were and remained silent when I made and repeated the charges and said I awaited ~~response~~ ^{my} to this day not made in ^{my} court. ~~For~~ ^{now} ~~if~~ I ~~had~~ been wrong it would have been actionable.

The question is not Mr. Belin personally. Nor is it only lawyers when they have no adversary and have that 'Linus' blanket of expectable secrecy. The question, really, is no longer one of a whodunit.

The real question is how our institutions work or fail to work in time of great crisis and what it means to society, to the freedom and the future of us all.